

RESOLUTION NO. 2018-008

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT CDP-398-18 AND USE PERMIT UP-108-18 TO PROVIDE COASTAL ACCESS IMPROVEMENTS ALONG THE WEST SIDE OF THE 400 BLOCK AND A PORTION OF THE 500 BLOCK OF ESPLANADE AVENUE (APNs 009-161-020; 009-161-010; 009- 131-030); AND ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: City of Pacifica Public Works. (“Applicant”).

WHEREAS, an application has been submitted to provide coastal access improvements on city owned property that would consist of a multi-purpose trail/park along the west side of the 400 block and a portion of the 500 block of Esplanade Avenue (APNs 009-161-020; 009-161-010; 009- 131-030) in the Pacific Manor neighborhood (Project);

WHEREAS, the Project is partially located in the R-3.1 zoning district and would require a Use Permit as Coastal Access is a conditional use in the R-3.1 zoning district per PMC Section 9-4.401(b)(2);

WHEREAS, the Project is partially located in the R-1 zoning district and would require a Use Permit as Park and Playgrounds is a conditional use in the R-1 zoning district per Pacifica Municipal Code (PMC) Section 9-4.601(b)(6) via PMC Section 9-4.801;

WHEREAS, the project requires approval of a Coastal Development Permit per PMC Section 9-4.4303 because the project involves development within the Coastal Zone; and, the project does not qualify as a category of exempted or excluded development;

WHEREAS, City of Pacifica is the Lead Agency for preparing the environmental review for the Project pursuant to the California Environmental Quality Act (CEQA) ;

WHEREAS, the Draft Initial Study/Mitigated Negative Declaration (IS/MND) entitled “Pacifica Esplanade Coastal Trail, State Clearinghouse No. 2018052013” was made available to the public for review on May 7, 2018, with the 30-day comment period ending June 7, 2018;

WHEREAS, Alta Planning and Design, on behalf of the City of Pacifica published a Notice of Intent to Adopt a Mitigated Negative Declaration on and off-site on August 14, 2018, in compliance with CEQA Guidelines Section 15072 and held another public comment period for the Draft IS/MND from August 15 to September 14, 2018;

WHEREAS, one comment was received during the public comment periods and the response to the comment did not result in any changes to the Draft IS/MND;

WHEREAS, Alta Planning and Design released a Final IS/MND on September 28, 2018;

WHEREAS, the Final IS/MND identified certain potentially significant environmental impacts and recommends certain mitigation measures regarding such effects;

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on August 20, 2018 and at which time, the Planning Commission, at the request of the staff, continued the item to October 15, 2018;

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on October 15, 2018, at which time the members of the Planning Commission, using their independent judgment, reviewed the proposed project and all evidence in the record related to such requests, including the staff report, public testimony, and all evidence presented both orally and in writing;

WHEREAS, at the October 15, 2018 Planning Commission meeting, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the Planning Commission considered all facts relating to CDP-398-18 and UP-108-18;

WHEREAS, at the October 15, 2018 public meeting the Planning Commission of the City of Pacifica reviewed and considered the information contained in the Initial Study and Mitigated Negative Declaration for the proposal, which is attached to this resolution as Exhibit B; and

WHEREAS, Section 21000, et. seq., of the Public Resources Code and Section 15000, et. Seq., of Title 14 of the California Code of Regulations (the "CEQA Guidelines"), which govern the preparation, content and processing of Negative Declarations, have been fully implemented in the preparation of the Mitigated Negative Declaration.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Pacifica as follows:

1. The Planning Commission has independently reviewed, analyzed and considered the Mitigated Negative Declaration and all written documentation and public comments prior to approval of the proposed Project; and
2. An Initial Study was prepared for the project, and on the basis of substantial evidence in the whole record, there is no substantial evidence that the project will have a significant effect on the environment after the implementation of mitigation measures, therefore a Mitigated Negative Declaration has been prepared which reflects the lead agency's independent judgment and analysis; and
3. The Mitigated Negative Declaration was prepared, publicized, circulated and reviewed in compliance with the provisions of CEQA Guidelines.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby certify that the IS/MND has been prepared in accordance with CEQA, has been circulated via the State Clearinghouse (SCH #2018052013) for review and comment by relevant agencies, has provided for and considered public comment, has been presented to and reviewed by this Planning Commission prior to the Commission's decision on the Project, and reflects the City of Pacifica's independent judgement and analysis. Therefore, the Planning Commission does hereby adopt the IS/MND and Mitigation Monitoring and Reporting Program (MMRP) included as Exhibit B as the valid environmental review for this Project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings for Coastal Development Permit CDP-398-18:

- (i) *The proposed development is in conformity with the City's certified Local Coastal Program.*

Discussion: The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The LCLUP supports the development of a bluff top coastal access trail in the area and discourages development that does not provide adequate bluff setback for the design life of the project. The materials being used for the proposed project, which are similar to a standard sidewalk, make for a project with a design life of 50 or more years. While various applicable policies and language from the LCLUP are addressed below, language from Page C-29 provides the most applicable direction to the proposed project.

Coastal Act Policy No. 4: *Wherever appropriate and feasible, public facilities, including parking areas and facilities, shall be distributed throughout an area so as to mitigate against the impacts, social or otherwise of overcrowding or overuse by the public of any single area. (Also found in General Plan on page 24)*

Discussion: The creation of a multi-purpose trail/park at the project site would mitigate demand at the Beach Boulevard promenade park in west Sharp Park as it would provide an additional coastal picnic area and horizontal trail access in northern Pacifica.

Coastal Act Policy No. 5: *Lower cost visitor and recreational facilities and housing opportunities for persons of low and moderate income shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. [...].(Also found in General Plan on page 24)*

Discussion: The creation of a public multi-purpose trail/park at the project site would provide no cost visitor and recreational facilities. Therefore this development meets this goal.

Coastal Act Policy No. 24: *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible; to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan, prepared by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting. (Also found in General Plan on page 28)*

Discussion. The proposed project would protect the scenic and visual qualities of the coastal area. The project provides facilities to improve the scenic and visual qualities and accessibility of the coastal bluffs along Esplanade Avenue. The ADA-compliant ramps, trail, and proposed seating areas would improve the accessibility for persons with mobility challenges. The gateway plaza would be split at the intersection of West Manor Drive and Esplanade Avenue, which would minimize any visual obstruction for motorists and other viewers traveling westbound on West Manor Drive. In addition, the project would remove much of the chain link fencing currently installed on the bluff top west of Esplanade Avenue, thus restoring and enhancing the visual quality which had been degraded by the fence installation in this area.

Coastal Act Policy No. 26: *New development shall:*

- (a) Minimize risks to life and property in geologic, flood and fire hazard areas of high geologic, flood and fire hazards*
- (b) Assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.[...] (Also found in General Plan on page 28)*

Discussion: As disclosed in the geotechnical and geologic report, the projected rate of bluff erosion near the project site would limit the life of the multi-purpose trail/park to 5 to 13 years, and in an extreme case as little as one year. The proposed landscaping and drainage plan, which directs stormwater runoff to the street, could help slow the erosion rate due to stormwater, but would not prevent erosion from wave action and other forces. Additionally, the rock revetment and possible future sea wall would provide some benefit to the trail even though the design of the bluff armoring is not intended to protect the trail. To address potential hazards of the bluff edge reaching the development, mitigation measure GEO-1 from the Final IS/MND (Attachment D) would require City staff to periodically monitor, repair, and maintain the improvements to maintain safe conditions, place signage to warn visitors of hazardous or risky conditions, and temporarily close portions of the developments located within five feet of bluff

erosion or during hazardous conditions. Additionally, in the event that materials from the multi-purpose trail/park fall onto or are threatening to fall onto the beach, proposed Condition of Approval No. 6 would require the City to provide immediate response to clean or clear the fallen debris.

Page C-25: *The City's Seismic Safety and Safety Element requires the bluff setback to be adequate to accommodate a minimum 100-year event, whether caused by seismic, geotechnical, or storm conditions. The setback should be adequate to protect the structure for its design life. The appropriate setback for each site will be determined on a case-by-case basis, depending on the site specific circumstances and hazards. A Seismic Safety and Safety Element policy prohibits the approval of projects which require seawalls as a mitigation measure. The policy also states that projects should not be approved which eventually will need seawalls for the safety of the structures and residents. (Also found in General Plan on page 58)*

Discussion: As disclosed in the geotechnical and geologic report, the projected rate of bluff erosion near the project site would limit the life of the multi-purpose trail/park to 5 to 13 years, and in an extreme case as little as one year. The proposed landscaping and drainage plan, which directs stormwater runoff to the street, could help slow the erosion rate due to stormwater, but would not prevent erosion from wave action and other forces. Additionally, the rock revetment and possible future sea wall would provide some benefit to the trail even though the design of the bluff armoring is not intended to protect the trail. To address potential hazards of the bluff edge reaching the development, mitigation measure GEO-1 from the Final IS/MND (Attachment D) would require City staff to periodically monitor, repair, and maintain the improvements to maintain safe conditions, place signage to warn visitors of hazardous or risky conditions, and temporarily close portions of the developments located within five feet of bluff erosion or during hazardous conditions. Additionally, in the event that materials from the multi-purpose trail/park fall onto or are threatening to fall on to the beach, proposed Condition of Approval No. 6 would require the City to provide immediate response to clean or clear the fallen debris.

Page C-26: *The major coastal planning issues in this neighborhood [West Edgemar/Pacific Manor] are:*

- 4. The extent and nature of public access improvements and the City's role in developing new and maintaining existing public access and parking facilities. (Also found in General Plan on page 59)*

Discussion: The creation of a public bluff-top multi-purpose trail/park at the project site would expand and broaden the available public access improvements in the neighborhood.

Page C-29: *Geologic stability and coastal erosion are critical problems along portions, of the West Edgemar-Pacific Manor Neighborhood bluff-top developed before 1970. Should it become necessary in the future to remove some of this development, a protective open space district should be applied. Under this district, public access or viewpoints should be permitted if geotechnical studies show they can be accomplished without aggravating the existing stability problems.*

Discussion: The southern portion of the project would be developed on two properties (532 and 528 Esplanade Ave.) that previously contained single-family residences. These structures were recently demolished by the City due to the geologic conditions of the sites. While the appropriate studies and land use amendment to the “protective open space district” have not been conducted for the project site, the language does support the development of public access and viewpoints on geologically challenged sites as long as geotechnical studies show they can be accomplished without aggravating the existing stability problems. The geotechnical and geologic report concluded that the project site is suitable for the proposed construction, with the understanding that the life of the project would be limited. The proposed landscaping and drainage plan could help slow the erosion rate, but would not prevent erosion. Additionally, the rock revetment and possible future sea wall would provide some benefit to the trail even though the design of the bluff armoring is not intended to protect the trail.

- (ii) ***Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.***

Discussion: The proposed project is consistent with the recreation policies of Chapter 3 of the California Coastal Act as further discussed below.

Section 30220 Protection of certain water-oriented activities: *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Discussion: The proposed project would not negatively impact the suitability for water-oriented recreational activities at the project site. The increased accessibility would likely benefit the site’s suitability for water-oriented activities by drawing more visitors to the area.

Section 30221 Oceanfront land; protection for recreational use and development: *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Discussion: The oceanfront project site would be used for a recreational use; therefore the project is consistent with this policy.

Section 30222 Private lands; priority of development purposes: *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

Discussion: The project would occur on publicly owned property therefore this policy does not apply.

Section 30222.5 Oceanfront lands; aquaculture facilities; priority: *Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.*

Discussion: The proposed project would provide coastal access and recreation, which is a coastal dependent use, and therefore, has priority for development over aquaculture uses.

Section 30223 Upland areas : *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Discussion: The proposed project would provide a recreational use on an upland bluff-top; therefore, the project is consistent with this policy.

Section 30224 Recreational boating use; encouragement; facilities: *Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.*

Discussion: The proposed project would not negatively impact the suitability for water-oriented recreational activities at the project site. The increased accessibility would likely benefit the site's suitability for water-oriented activities.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings for Use Permit UP-108-18:

- (i) That the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the***

health, safety, and welfare of the persons residing or working in the neighborhood or to the general welfare of the City;

Discussion: The existing conditions of the project site include a sandy undeveloped coastal bluff that provides visitors and local residents views and public access to the highly scenic coastline. However, currently, there are no sidewalks, or a safe and stable access way is available for visitors with limited mobility. The proposed multi-purpose trail/park would make it easier and safer for people to walk seaward of Esplanade Avenue. The proposed multi-purpose trail/park with benches and other amenities would also provide greater coastal access to those with limited mobility, and would beautify the area by removing unsightly chain link fencing.

The geotechnical and geologic report identifies that the proposed multi-purpose trail/park, at its closest point, is approximately 31 feet from the current bluff top edge. The report projects that future erosion rates in the area may limit the lifetime of the proposed multi-purpose trail/park from 5 to 13 years, and in an extreme case as little as one year. To address potential hazards of the bluff edge reaching the development, mitigation measure GEO-1 from the IS/MND would require City staff to periodically monitor, repair, and maintain the improvements to maintain safe conditions, place signage to warn visitors of hazardous or risky conditions, and temporarily close portions of the developments located within five feet of bluff erosion or during hazardous conditions. Additionally, in the event that materials from the multi-purpose trail/park fall onto or are threatening to fall onto the beach, proposed Condition of Approval No. 6 would require the City to provide immediate response to clean or clear the fallen debris.

For the reasons discussed above, the proposed multi-purpose trail/park would not be detrimental to the health, safety, and welfare of the persons residing, working, or visiting in the neighborhood or the general welfare of the City.

(ii) That the use or building applied for is consistent with the applicable provisions of the General Plan and other applicable laws of the City and, where applicable, the local Coastal Plan; and

Discussion: Open Space Element Policy 2: Provide outdoor recreation in local parks, open space, and school playgrounds in keeping with the need, scale and character of the City and of each neighborhood.

Discussion: The proposed project is a multi-purpose trail/park along the western side of Esplanade Avenue; therefore, the project would provide outdoor recreation in the West Edgemar/Pacific Manor District. A coastal trail and horizontal access along the coast is a desired characteristic in the coastal zone.

Page 122. *The City owns beaches along Esplanade and San Pedro Beach. These areas should be improved with access and parking in cooperation with State agencies.*

Discussion: The proposed project is a multi-purpose trail/park along the western side of Esplanade Avenue; therefore, the project would extend and improve horizontal beach access along Esplanade Avenue.

Page 125. *2. The City should strive to bring beach frontage into public use through purchase or dedication. Improved and controlled access to the beaches will add to the enjoyment of this recreational asset. [...] 5. Retention of open space areas should be encouraged in developments whenever the natural landscape, scenic resources or public access can be preserved, enhanced or provided. Use of open spaces could include hiking and riding trails, vista points or off-street play space.*

Discussion: The proposed project is a multi-purpose trail/park along the western side of Esplanade Avenue; therefore, the project would extend and improve horizontal beach access along Esplanade Avenue.

Page 126. *4. Access to open space, including coastal areas, by improved or unimproved routes, should be provided only where consistent with public safety and security. Access should be actively discouraged where safe use cannot be ensured and alternate access provided.*

Discussion: The existing conditions of the project site include a sandy undeveloped coastal bluff that provides visitors and local residents views and public access to the highly scenic coastline. However, currently, there are no sidewalks. or a safe and stable access way is available for visitors with limited mobility. The proposed multi-purpose trail/park would make it easier and safer for people to walk seaward of Esplanade Avenue. The proposed multi-purpose trail/park with benches and other amenities would also provide greater coastal access to those with limited mobility, and would beautify the area by removing unsightly chain link fencing.

The geotechnical and geologic report identifies that the proposed multi-purpose trail/park, at its closest point, is approximately 31 feet from the current bluff top edge. The report projects that future erosion rates in the area may limit the lifetime of the proposed multi-purpose trail/park from 5 to 13 years, and in an extreme case as little as one year. To address potential hazards of the bluff edge reaching the development, mitigation measure GEO-1 from the IS/MND would require City staff to periodically monitor, repair, and maintain the improvements to maintain safe conditions, place signage to warn visitors of hazardous or risky conditions, and temporarily close portions of the developments located within five feet of bluff erosion or during hazardous conditions. Additionally, in the event that materials from the multi-purpose trail/park fall onto or are threatening to fall

onto the beach, proposed Condition of Approval No. 6 would require the City to provide immediate response to clean or clear the fallen debris.

For the reasons discussed above, the proposed multi-purpose trail/park would not be detrimental to the safety of the persons using the trail. Additionally, the sidewalk on the east side of Esplanade Avenue would provide an alternative route.

The proposed use is also consistent with the local Coastal Plan and General Plan, as discussed in Finding 6.a.(i) above.

- (i) ***Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.***

Discussion: As further discussed below, the proposed project is consistent with the City's adopted Design Guidelines.

Views. One of the primary concerns in the Coastal Act is the preservation of ocean views for the public.

Discussion: The proposed project would provide facilities to improve the scenic and visual qualities and accessibility of the coastal bluffs along Esplanade Avenue. The ADA-compliant ramps, trail, and proposed seating areas would improve the accessibility for persons with mobility issues. The gateway plaza would be split at the intersection of West Manor Drive and Esplanade Avenue, which would minimize any visual obstruction for motorists and other viewers traveling westbound on West Manor Drive.

Access. There are relatively few public access ways to the beach within the City.

Discussion. The proposed project would increase the horizontal coastal access within the city because the proposed project is a multi-purpose trail/park along the western side of Esplanade Avenue.

Vegetation and Landscaping. Existing vegetation in the coastal area is often fragile and has little resistance to human trampling. New landscaping requires special attention because of the limited plant palette of the coastal environment.

Discussion: The proposed landscaping would remove ice plant and invasive nonnative plants and replace them with coastal compatible slope stabilizing species, within the project area.

Weather. The coastal climate can be severe and must be considered in the site planning and design of coastal development. Windblown sand can compound weather related problems.

Discussion: The proposed materials of the development include weatherize steel, protected steel, and concrete. All of these materials are coastal compatible.

Geotechnical Hazards. *The shoreline is subject to erosion, landslides, and other geotechnical problems of varying intensity. To conserve soil and protect people and property from such hazards, special design considerations are necessary.*

Discussion: As discussed above, a geotechnical and geologic report was prepared for the proposed project. The report provides grading and drainage recommendations to minimize the project's contribution to bluff erosion, which recommendations the project would be required to comply with in proposed Condition of Approval No. 2.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica adopts the IS/MND and Mitigation Monitoring and Reporting Program (MMRP) included as Exhibit B and approves Coastal Development Permit CDP-398-18 and Use Permit UP-108-18 to provide coastal access improvements on City-owned property that would consist of a multi-purpose trail/park along the west side of the 400 block and a portion of the 500 block of Esplanade Avenue (APNs 009-161-020; 009-161-010; 009-131-030), subject to conditions of approval included as Exhibit A to this resolution.

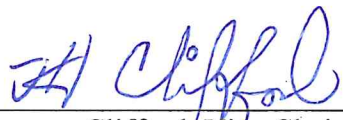
Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 15th day of October, 2018.

AYES, Commissioners: Clifford, Gordon, Nibbelin, Stegink, Kraske

NOES, Commissioners: None

ABSENT, Commissioners: Campbell, Rubinstein

ABSTAIN, Commissioners: None




Thomas Clifford, Vice Chair

ATTEST:



Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: Coastal Development Permit CDP-398-18 and Use Permit UP-108-18 to provide coastal access improvements on City-owned property that would consist of a multi-purpose trail/park along the west side of the 400 block and a portion of the 500 block of Esplanade Avenue (APNs 009-161-020; 009-161-010; 009- 131-030)

Planning Commission Meeting of October 15, 2018

Planning Department

1. The project shall be substantially in accord with the plans entitled "City of Pacifica San Mateo County Pacifica Esplanade Coastal Trail", undated, but received by Planning Staff on August 23, 2018, except as modified by the following conditions.
2. All recommendations (Section 7.0 Recommendations) detailed in the geotechnical and geologic investigation report entitled, Geotechnical and Geologic Investigation Design Phase for Proposed 400 Block Esplanade Coastal Trail Pacifica, California", prepared by Butano Geotechnical Engineering, Inc., dated October 2017 shall be incorporated into the project.
3. That the approval or approvals is/are valid for a period of one year from the date of final determination. If the use or uses approved is/are not established within such period of time, the approval(s) shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the Planning Director or Planning Commission approves the extension request as provided below. The Planning Director may administratively grant a single, one year extension provided, in the Planning Director's sole discretion, the circumstances considered during the initial project approval have not materially changed. Otherwise, the Planning Commission shall consider a request for a single, one year extension.
4. Prior to the issuance of a building permit for any structure on any lot or lots in the subdivision, Applicant shall submit a final landscape plan for approval by the Planning Director. The landscape plan shall show each type, size, and location of plant material, as well as the irrigation system. Landscaping materials included on the plan shall be coastal compatible, drought tolerant and shall be predominantly native. All landscaping shall be completed consistent with the final landscape plans prior to occupancy. In addition, the landscaping shall be maintained as shown on the landscape plan and shall be designed to incorporate efficient irrigation to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides, and pesticides. Landscaping on the site shall be adequately maintained in a healthful condition and replaced when necessary as determined by the Planning Director.
5. Applicant shall comply with all mitigation measures incorporated into the Mitigation Monitoring and Reporting Program adopted as part of the Initial Study and Mitigated

Negative Declaration prepared for the project and included as Exhibit B to this Resolution.

6. In the event that material of the multi-purpose trail/park, through damage from bluff-top instability or other events, falls onto or threatens to imminently fall on to the beach below, the City shall provide immediate response to clean or clear the fallen debris. The City shall coordinate clean-up events with agencies such as the Coastal Commission, State Lands Commission, US Army Corps, or other agencies, as appropriate or otherwise required by law.
7. The project design shall be revised to include a removable barrier across the vehicle pathway to the vertical access to the beach. The purpose of the barrier is to prevent unauthorized vehicles from using the vertical access to the beach. The design and location of the removal barrier shall be determined acceptable to the Pacifica Police Chief, North Coast County Fire Chief, and the City Engineer.

Building Department

8. Applicant shall apply for and receive approval of a building permit and/or grading permit prior to commencing any construction or grading activity.

*** END OF CONDITIONS ***

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in accordance with Section 21081.6 of the California Environmental Quality Act (CEQA) and 15097 of the CEQA Guidelines, which requires a MMRP as part of the Mitigated Negative Declaration (MND) process. The results of the environmental analysis, including findings related to the proposed mitigation measures.

CEQA requires that agencies adopting MNDs take the necessary steps to ensure that designated mitigation measures are appropriately implemented during all stages of the project including construction and throughout the project buildout. Therefore, the purpose of this MMRP is to document execution of required mitigations, identify the appropriate entity responsible for mitigation monitoring and reporting, document and establish frequency/duration of monitoring and reporting, and ultimately to ensure compliance.

The following MMRP matrix lists each of the mitigation measures adopted as a condition of project approval, the method required for implementation, the party or permit responsible for implementing the measures, the timeframe for which the measure is relevant, and the status of compliance.

MITIGATION AND MONITORING REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Agency Responsible for Monitoring	Monitoring Timeline	Monitoring Compliance Record (Name/Date)
BIOLOGICAL RESOURCES				
<p>Mitigation Measure BIO-1. To avoid impacts to nesting birds, the City will implement the following:</p> <ul style="list-style-type: none"> ▪ If possible, schedule construction activities involving grading, vegetation stripping, or other involving heavy equipment, outside the migratory bird breeding season, which is August 1 – February 1. ▪ If construction-related activities must be scheduled during the breeding season, then focused surveys to identify active nests of migratory bird species will be conducted by a qualified biologist no more than 7 days before heavy equipment construction activities occur in these months. ▪ If a nest is found during construction, any disruptive work in the immediate area will be halted and construction must be shifted to another area of the project far enough away as to limit disrupting the active nest, the buffer area to be determined by the biologist. The nest will be monitored to determine when chicks have fledged and when it is safe to resume work around the nest site. 	City of Pacifica	City of Pacifica	Prior to and during construction	
CULTURAL RESOURCES				
<p>Mitigation Measure CULT-1. Treatment of Previously Unidentified Human Remains. During project construction, if human remains are discovered, the project applicant and/or its contractor shall cease all work within 25 feet of the find and</p>	City of Pacifica	City of Pacifica	Prior to and during construction	

Mitigation Measures	Party Responsible for Implementation	Agency Responsible for Monitoring	Monitoring Timeline	Monitoring Compliance Record (Name/Date)
<p>notify the City of Pacifica and the county coroner, per California Health and Safety Code Section 7050.5. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission within 24 hours.</p>				
GEOLOGY AND SOILS				
<p>Mitigation Measure GEO-1. Minimize Hazards from Bluff-Top Retreat. The proposed improvements shall be designed for appropriate visitor safety relative to bluff-top retreat. The evaluation of that safety shall assume that hazards exist from the existing bluff edge inland to the trail and Esplanade Avenue. Those hazards may consist of bluff-top instability driven by coastal erosion and seismic shaking. Erosion may cause vertical drop-offs, rills, and gullies that can present tripping or slip and fall risks, and ocean wave impact. The City shall periodically monitor, repair, and maintain the improvements to maintain safe conditions. Appropriate signage shall be installed to warn visitors of hazardous and risky conditions. During hazardous ocean conditions, the City may close those sections of the trail and other site facilities to public use when there is an immediate threat to public safety. Coastal bluff erosion within five feet of the trail will result in closure of the trail until maintenance and repairs occur.</p>	City of Pacifica	City of Pacifica	Prior to, during construction, and after construction	